

REMARKS

Applicants would like to thank the Examiner for the careful consideration given the present application and for the personal interview conducted on December 22, 2003, with applicant's representative. The application has been carefully reviewed in light of the Office action, and this response has been generated accordingly.

First, applicant notes that the Examiner did not acknowledge the receipt of the priority documents in this Office action, despite that the prior Office action had done so. At the interview, the Examiner stated that this was an oversight, and would be corrected.

Claims 1 and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Martin *et al.* (U.S. 6,069,963). For the following reasons, the rejection is respectfully traversed.

Claim 1 recites a microphone encapsulated in an "electromagnetic shielding case (3)" (line 3), and an "analog/digital converter (5)" which is "mounted on an *outside* of the electromagnetic shielding case (3)" (lines 4-5, emphasis added). Claim 8 recites similar limitations. The Examiner admits that Martin does not teach an ADC. The office action states that it would be obvious to add an ADC. At the personal interview, applicant argued that even if were obvious to add an ADC (a point that applicant does not concede), there is no suggestion that such an ADC be mounted on an outside of the electromagnetic shielding case, as recited in the claim. The Examiner agreed to further consider these arguments as a result of this response.

Claim 8 also recites that the A/D converter be "electromagnetically shielded from said microphone", which is not suggested by any of the references. At the interview, the Examiner admitted that shielding the A/D converter from the microphone was not suggested by any of the references and would thus likely make the claim patentable over the references. The Examiner agreed to reconsider the claim for this reason.

Finally, new claim 9 recites "an analog/digital converter mounted in such a manner that it is electromagnetically shielded from said microphone". Thus, new claim 9 is patentable over Martin.

Claims 2-7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Martin

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et al. (U.S. 6,069,963) in view of Husung (U.S. Pat. No. 5,809,151). Claims 2-7 depend, directly or indirectly, on claim 1. Because Husung does not overcome the shortcomings of Martin, these claims are patentable over the references.

In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 32396.

Respectfully submitted,

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